

City of Columbia Falls

JAMES R. WEAVER, City Attorney
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P.O. BOX 329
COLUMBIA FALLS, MONTANA 59912
892-4355

February 28, 1984

Mr. Kenneth G. Rieck
Ananconda Aluminum Company
Columbia Falls, MT 59912

Dear Mr. Reick,

I am writing to you relative to the proposed sludge injection agreement with the City of Columbia Falls onto Anaconda premises.

I have before me the original draft of an agreement which was prepared by the City Public Work Director, John Perrin, as well as the comment sheet from your B. A. Hindin.

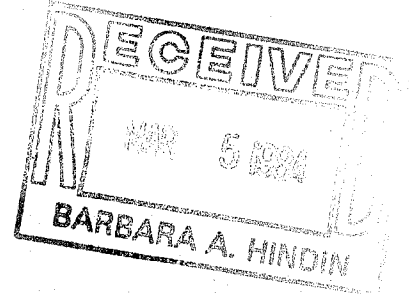
Enclosed please find a draft of a proposed agreement which incorporates into it the suggestions made by Mr. Hindin, both in his memo and upon the original draft of the agreement provided to you by Mr. Perrin.

The only item that I have not included in the present draft has to do with the termination of the lease prior to the end of any one calendar year. I explain our reasons for doing so.

The City has facilities at the sewerage treatment plant to accumulate sludge for up to approximately ten months. The City envisions that it would accumulate sludge from the fall of one year through the spring of the following year and then would inject it into the premises during the months of July and August. Of course, that could be varied as the quantity or volume increases and as weather conditions permit.

The problem with providing for an early termination of the agreement other than as specified in the agreement would be that the City could be left with a situation of having a capacity of sludge accumulated, the lease being terminated and no place to spread or place it. That would catch the City in a serious bind as it might be difficult to make suitable arrangements for a place to spread the sludge, that is an owner suitable to do so, that the topography would be correct, etc.

Other than that one provision, I believe we have taken care of the suggestions of Mr. Hindin.

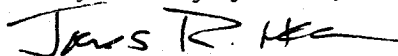


Mr. Kenneth G. Rieck
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If the agreement is satisfactory with your company, would you kindly be in touch with Mr. Perrin and we can arrange to have it in final form.

One item that would be needed is the name of the contracting entity of your company who will enter into the agreement with the City.

Very truly yours,

A handwritten signature in dark ink, appearing to read "James R. Weaver", with a stylized flourish at the end.

James R. Weaver

JRW/ssm
enclosure